

IOWA DEPARTMENT OF NATURAL RESOURCES

IN THE MATTER OF:

CITY OF INDIANOLA
NPDES Permit #91-33-0-01
Warren County, Iowa

TERMINATION OF SECOND
AMENDED ADMINISTRATIVE
CONSENT ORDER
NO. 2009-WW-24-A2

TO: City of Indianola
Kelly Shaw, Mayor
110 North First Street
PO Box 299
Indianola, IA 50125-0299

I. SUMMARY

This termination of the second amended administrative consent order is executed to acknowledge compliance to date with all provisions of the second amended administrative consent order and to terminate the one continuing requirement which would otherwise remain in effect.

II. JURISDICTION

This termination of the second amended order is issued pursuant to the provisions of Iowa Code section 455B.175(1), which authorizes the Director to issue any order necessary to secure compliance with or prevent a violation of Iowa Code Chapter 455B, Division III, Part 1 (wastewater) and the rules adopted or permits issued pursuant to that part.

III. TERMINATION

1. At the time of the execution of the Second Amended Administrative Consent Order, the DNR and Indianola agreed that Indianola had satisfied the requirements of paragraphs 1, 3, 4, 5, 6, 7, 8, and 9 of the original order.

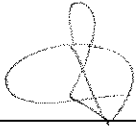
2. Indianola has continued to provide the DNR with information in regard to progress toward completion of the requirements of the prior orders and has satisfied the DNR that all of the requirements of the prior administrative orders and amendments issued in this case have been satisfied with the exception of Paragraph 2 of section V. Order. Paragraph 2 provides for a continuing program to investigate, identify and remove all private clear water connections to private sewer lines in Indianola through 2024. Indianola has satisfied the

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requirements of this program from the date of the execution of the original order through the date of execution of this termination.

3. Indianola has requested the termination of this sole remaining requirement based upon the assertion that sufficient progress has been made in regard to the reduction of inflow and infiltration and all other aspects of the collection and treatment systems such that Indianola need not be tied to this specific yearly requirement but should instead have the flexibility to allocate resources as appropriate to address ongoing wastewater infrastructure needs. The DNR agrees.

4. Therefore, Second Amended Administrative Consent Order No. 2009-WW-24-A2 is hereby terminated as of the date of execution of this termination. Any and all requirements arising solely from Second Amended Administrative Consent Order No. 2009-WW-24-A2 are hereby terminated. Any and all requirements arising from Iowa law, administrative rule, or permit are unaffected by this termination and shall continue.



CHUCK GIPP, DIRECTOR
Iowa Department of Natural Resources

Dated this 12 day of
May, 2014

Bruce Troutman, for Chuck Gipp